

**Introduced by Senator Cannella**

February 21, 2012

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An act to amend, repeal, and add Section 35401 of the Vehicle Code, relating to vehicles, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

SB 1155, as introduced, Cannella. Vehicles: combination length.

(1) Existing law prohibits any combination of vehicles coupled together, including any attachments, from exceeding a total length of 65 feet, with certain, specified exemptions. Existing law further exempts a combination of vehicles coupled together, including attachments from the specified length limitation, and authorizes the combination to have a length of not more than 75 feet if the combination consists of a truck tractor, a semitrailer, or a semitrailer or trailer, and the length of neither the semitrailer nor the trailer in the combination of vehicles exceeds 28 feet 6 inches.

This bill would, until January 1, 2018, exempt from the length limitation a combination of vehicles coupled together, including attachments not more than 75 feet in total length that (1) consist of a motortruck and two trailers; (2) includes a trailer in the combination that does not exceed 28 feet 6 inches; (3) is used exclusively to transport agricultural products from the field to either the first point of handling and return or to a designated truck route and return, and each direction of transport does not exceed a specified amount of miles; (4) is not operated on a highway designated by the United States Department of Transportation as a national network route; (5) does not exceed a speed of 50 miles per hour when operating on a highway; (6) successfully completes a commercial vehicle safety alliance inspection conducted

by the Department of the California Highway Patrol; and (7) operates on the highways only after the development of safe routing techniques, as specified. The bill would also limit the application of this exemption to the County of San Benito and to cities in that county upon adoption of the exemption by ordinance or resolution.

The bill would require the Department of the California Highway Patrol, in consultation with the Department of Transportation, to conduct a study of the effect that the exemption has on public safety, as prescribed, and to report the results of the study to the Legislature and the Governor on or before April 1, 2014.

(2) This bill would make legislative findings and declarations regarding the need for special legislation.

(3) The bill would declare that it is to take effect immediately as an urgency measure.

Vote:  $\frac{2}{3}$ . Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 35401 of the Vehicle Code is amended  
2 to read:

3 35401. (a) Except as provided in subdivisions (b), (c), ~~and~~ (d),  
4 *and (e)*, a combination of vehicles coupled together, including  
5 attachments, may not exceed a total length of 65 feet.

6 (b) (1) A combination of vehicles coupled together, including  
7 attachments, that consists of a truck tractor, a semitrailer, and a  
8 semitrailer or trailer, may not exceed a total length of 75 feet, if  
9 the length of neither the semitrailers nor the trailer in the  
10 combination of vehicles exceeds 28 feet 6 inches.

11 (2) A B-train assembly is excluded from the measurement of  
12 semitrailer length when used between the first and second  
13 semitrailers of a truck tractor-semitrailer-semitrailer combination  
14 of vehicles. However, if there is no second semitrailer mounted to  
15 the B-train assembly, it shall be included in the length measurement  
16 of the semitrailer to which it is attached.

17 (c) (1) *A combination of vehicles coupled together, including*  
18 *attachments, may have a total length of not more than 75 feet, if*  
19 *all of the following apply:*

20 (A) *The combination of vehicles consists of a motortruck and*  
21 *two trailers.*

1     (B) A trailer in the combination does not exceed 28 feet 6 inches  
2     in length.

3     (C) The combination is used exclusively for either, or both, of  
4     the following:

5         (i) The combination is used to transport agricultural products  
6         from the field to the first point of handling and return, and each  
7         direction of transport does not exceed 80 miles.

8         (ii) The combination is used exclusively to transport agricultural  
9         products from the first point of handling to a designated truck  
10        route and return, and each direction of transport to the designated  
11        truck route does not exceed 15 miles.

12     (D) The combination is not operated on a highway designated  
13     by the United States Department of Transportation as a national  
14     network route.

15     (E) The combination of vehicles does not exceed a speed of 50  
16     miles per hour when operating on the highway.

17     (F) The combination of vehicles successfully completes a  
18     commercial vehicle safety alliance inspection on a quarterly basis  
19     conducted by the Department of the California Highway Patrol.

20     (G) The combination of vehicles operates on the highway only  
21     after agricultural entities develop safe routing techniques, in  
22     consultation with the Department of the California Highway Patrol,  
23     from the field to the first point of handling and return.

24     (2) This subdivision applies only in the County of San Benito  
25     or a city in that county and only if the board of supervisors of the  
26     county or the city council, as the case may be, by resolution or  
27     ordinance, adopts its provisions.

28     (3) The Department of the California Highway Patrol, in  
29     consultation with the Department of Transportation, shall conduct  
30     a study of the effect that the exemption provided in this subdivision  
31     has on public safety, particularly the enhanced safety requirements  
32     imposed by subparagraphs (E), (F), and (G) of paragraph (1). The  
33     Department of the California Highway Patrol shall report the  
34     results of the study to the Legislature and the Governor on or  
35     before April 1, 2014.

36     ~~(e)~~

37     (d) (1) A tow truck in combination with a single disabled  
38     vehicle or a single abandoned vehicle that is authorized to travel  
39     on the highways by this chapter is exempt from subdivision (a)  
40     when operating under a valid annual transportation permit.

(2) A tow truck, in combination with a disabled or abandoned combination of vehicles that are authorized to travel on the highways by this chapter, is exempt from subdivision (a) when operating under a valid annual transportation permit and within a 100-mile radius of the location specified in the permit.

(3) A tow truck may exceed the 100-mile radius restriction imposed under paragraph (2) if a single trip permit is obtained from the Department of Transportation.

~~(d)~~

(e) A city or county may, by ordinance, prohibit a combination of vehicles of a total length in excess of 60 feet upon highways under its respective jurisdiction. The ordinance may not be effective until appropriate signs are erected indicating either the streets affected by the ordinance or the streets not affected, as the local authority determines will best serve to give notice of the ordinance.

~~(e)~~

(f) A city or county, upon a determination that a highway or portion of highway under its jurisdiction cannot, in consideration of public safety, sustain the operation of trailers or semitrailers of the maximum kingpin to rearmost axle distances permitted under Section 35400, may, by ordinance, establish lesser distances consistent with the maximum distances that the highway or highway portion can sustain, except that a city or county may not restrict the kingpin to rearmost axle measurement to less than 38 feet on those highways or highway portions. A city or county considering the adoption of an ordinance shall consider, but not be limited to, consideration of, all of the following:

(1) A comparison of the operating characteristics of the vehicles to be limited as compared to operating characteristics of other vehicles regulated by this code.

(2) Actual traffic volume.

(3) Frequency of accidents.

(4) Any other relevant data.

In addition, the city or county may appoint an advisory committee consisting of local representatives of those interests that are likely to be affected and shall consider the recommendations of the advisory committee in adopting the ordinance. The ordinance may not be effective until appropriate signs are erected indicating the highways or highway portions affected by the ordinance.

1 This subdivision shall only become operative upon the adoption  
2 of an enabling ordinance by a city or county.

3 (f)

4 (g) Whenever, in the judgment of the Department of  
5 Transportation, a state highway cannot, in consideration of public  
6 safety, sustain the operation of trailers or semitrailers of the  
7 maximum kingpin to rearmost axle distances permitted under  
8 Section 35400, the director, in consultation with the Department  
9 of the California Highway Patrol, shall compile data on total traffic  
10 volume, frequency of use by vehicles covered by this subdivision,  
11 accidents involving these vehicles, and other relevant data to assess  
12 whether these vehicles are a threat to public safety and should be  
13 excluded from the highway or highway segment. The study,  
14 containing the conclusions and recommendations of the director,  
15 shall be submitted to the Secretary of the Business, Transportation  
16 and Housing Agency. Unless otherwise notified by the secretary,  
17 the director shall hold public hearings in accordance with the  
18 procedures set forth in Article 3 (commencing with Section 35650)  
19 of Chapter 5 for the purpose of determining the maximum kingpin  
20 to rear axle length, which shall be not less than 38 feet, that the  
21 highway or highway segment can sustain without unreasonable  
22 threat to the safety of the public. Upon the basis of the findings,  
23 the Director of Transportation shall declare in writing the maximum  
24 kingpin to rear axle lengths which can be maintained with safety  
25 upon the highway. Following the declaration of maximum lengths  
26 as provided by this subdivision, the Department of Transportation  
27 shall erect suitable signs at each end of the affected portion of the  
28 highway and at any other points that the Department of  
29 Transportation determines to be necessary to give adequate notice  
30 of the length limits.

31 The Department of Transportation, in consultation with the  
32 Department of the California Highway Patrol, shall compile traffic  
33 volume, geometric, and other relevant data, to assess the maximum  
34 kingpin to rearmost axle distance of vehicle combinations  
35 appropriate for those state highways or portion of highways,  
36 affected by this section, that cannot safely accommodate trailers  
37 or semitrailers of the maximum kingpin to rearmost axle distances  
38 permitted under Section 35400. The department shall erect suitable  
39 signs appropriately restricting truck travel on those highways, or  
40 portions of highways.

1     ~~(g)~~

2     ~~(h) This section shall become operative on January 1, 2010~~  
3     ~~remain in effect only until January 1, 2018, and as of that date is~~  
4     ~~repealed, unless a later enacted statute that is enacted on or before~~  
5     ~~January 1, 2018, deletes or extends that date.~~

6     SEC. 2. Section 35401 is added to the Vehicle Code, to read:

7     35401. (a) Except as provided in subdivisions (b), (c), and (d),  
8     a combination of vehicles coupled together, including attachments,  
9     may not exceed a total length of 65 feet.

10    (b) (1) A combination of vehicles coupled together, including  
11    attachments, that consists of a truck tractor, a semitrailer, and a  
12    semitrailer or trailer, may not exceed a total length of 75 feet, if  
13    the length of neither the semitrailers nor the trailer in the  
14    combination of vehicles exceeds 28 feet 6 inches.

15    (2) A B-train assembly is excluded from the measurement of  
16    semitrailer length when used between the first and second  
17    semitrailers of a truck tractor-semitrailer-semitrailer combination  
18    of vehicles. However, if there is no second semitrailer mounted to  
19    the B-train assembly, it shall be included in the length measurement  
20    of the semitrailer to which it is attached.

21    (c) (1) A tow truck in combination with a single disabled vehicle  
22    or a single abandoned vehicle that is authorized to travel on the  
23    highways by this chapter is exempt from subdivision (a) when  
24    operating under a valid annual transportation permit.

25    (2) A tow truck, in combination with a disabled or abandoned  
26    combination of vehicles that are authorized to travel on the  
27    highways by this chapter, is exempt from subdivision (a) when  
28    operating under a valid annual transportation permit and within a  
29    100-mile radius of the location specified in the permit.

30    (3) A tow truck may exceed the 100-mile radius restriction  
31    imposed under paragraph (2) if a single trip permit is obtained  
32    from the Department of Transportation.

33    (d) A city or county may, by ordinance, prohibit a combination  
34    of vehicles of a total length in excess of 60 feet upon highways  
35    under its respective jurisdiction. The ordinance may not be effective  
36    until appropriate signs are erected indicating either the streets  
37    affected by the ordinance or the streets not affected, as the local  
38    authority determines will best serve to give notice of the ordinance.

39    (e) A city or county, upon a determination that a highway or  
40    portion of highway under its jurisdiction cannot, in consideration

1 of public safety, sustain the operation of trailers or semitrailers of  
2 the maximum kingpin to rearmost axle distances permitted under  
3 Section 35400, may, by ordinance, establish lesser distances  
4 consistent with the maximum distances that the highway or  
5 highway portion can sustain, except that a city or county may not  
6 restrict the kingpin to rearmost axle measurement to less than 38  
7 feet on those highways or highway portions. A city or county  
8 considering the adoption of an ordinance shall consider, but not  
9 be limited to, consideration of, all of the following:

10 (1) A comparison of the operating characteristics of the vehicles  
11 to be limited as compared to operating characteristics of other  
12 vehicles regulated by this code.

13 (2) Actual traffic volume.

14 (3) Frequency of accidents.

15 (4) Any other relevant data.

16 In addition, the city or county may appoint an advisory  
17 committee consisting of local representatives of those interests  
18 that are likely to be affected and shall consider the  
19 recommendations of the advisory committee in adopting the  
20 ordinance. The ordinance may not be effective until appropriate  
21 signs are erected indicating the highways or highway portions  
22 affected by the ordinance.

23 This subdivision shall only become operative upon the adoption  
24 of an enabling ordinance by a city or county.

25 (f) Whenever, in the judgment of the Department of  
26 Transportation, a state highway cannot, in consideration of public  
27 safety, sustain the operation of trailers or semitrailers of the  
28 maximum kingpin to rearmost axle distances permitted under  
29 Section 35400, the director, in consultation with the Department  
30 of the California Highway Patrol, shall compile data on total traffic  
31 volume, frequency of use by vehicles covered by this subdivision,  
32 accidents involving these vehicles, and other relevant data to assess  
33 whether these vehicles are a threat to public safety and should be  
34 excluded from the highway or highway segment. The study,  
35 containing the conclusions and recommendations of the director,  
36 shall be submitted to the Secretary of the Business, Transportation  
37 and Housing Agency. Unless otherwise notified by the secretary,  
38 the director shall hold public hearings in accordance with the  
39 procedures set forth in Article 3 (commencing with Section 35650)  
40 of Chapter 5 for the purpose of determining the maximum kingpin

1 to rear axle length, which shall be not less than 38 feet, that the  
2 highway or highway segment can sustain without unreasonable  
3 threat to the safety of the public. Upon the basis of the findings,  
4 the Director of Transportation shall declare in writing the maximum  
5 kingpin to rear axle lengths which can be maintained with safety  
6 upon the highway. Following the declaration of maximum lengths  
7 as provided by this subdivision, the Department of Transportation  
8 shall erect suitable signs at each end of the affected portion of the  
9 highway and at any other points that the Department of  
10 Transportation determines to be necessary to give adequate notice  
11 of the length limits.

12 The Department of Transportation, in consultation with the  
13 Department of the California Highway Patrol, shall compile traffic  
14 volume, geometric, and other relevant data, to assess the maximum  
15 kingpin to rearmost axle distance of vehicle combinations  
16 appropriate for those state highways or portion of highways,  
17 affected by this section, that cannot safely accommodate trailers  
18 or semitrailers of the maximum kingpin to rearmost axle distances  
19 permitted under Section 35400. The department shall erect suitable  
20 signs appropriately restricting truck travel on those highways, or  
21 portions of highways.

22 (g) This section shall become operative on January 1, 2018.

23 SEC. 3. Due to the unique circumstances occurring in the  
24 County of San Benito, with respect to the transportation of  
25 agricultural products from the fields to the handling of the products,  
26 the Legislature hereby finds and declares that a general statute  
27 cannot be made applicable within the meaning of Section 16 of  
28 Article IV of the California Constitution. Therefore, the special  
29 legislation contained in Section 1 of this act is necessarily  
30 applicable only to the County of San Benito, and cities within this  
31 county.

32 SEC. 4. This act is an urgency statute necessary for the  
33 immediate preservation of the public peace, health, or safety within  
34 the meaning of Article IV of the Constitution and shall go into  
35 immediate effect. The facts constituting the necessity are:

36 In order that statutory changes necessary to allow for the safe  
37 and efficient transportation of agricultural products in the County



1 of San Benito are enacted, at the earliest possible time, it is  
2 necessary that this act take effect immediately.

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